

18C01-2010-CT-000111

Delaware Circuit Court 1

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Clerk
Delaware County, Indiana

STATE OF INDIANA) DELAWARE CIRCUIT/SUPERIOR COURT
)
)SS:
 COUNTY OF DELAWARE) SITTING IN _____, INDIANA

ANNETTE PADGETT)
)
 Plaintiff,)
)
 v.) Cause No.
)
 ANONYMOUS, DNP, APRN-BC,)
 ANONYMOUS, MSW,)
 ANONYMOUS INTERN and)
 ANONYMOUS SERVICES CORP.)
)
 Defendants.

COMPLAINT FOR MEDICAL MALPRACTICE**COUNT I**

COMES NOW, the plaintiff, **ANNETTE PADGETT**, by counsel, and for her cause of action against the defendant, **ANONYMOUS, DNP, APRN-BC ("DNP")**, alleges and says as follows:

1. At all times relevant hereto, **Samuel Al-Samarrie, Deceased** was a patient of **DNP**.
2. At all times relevant hereto, **DNP** was a nurse practitioner duly licensed to practice medicine under the laws of the State of Indiana.
3. On or about October 4, 2018 and continuing through November 17, 2018, **DNP** undertook the care and treatment of **Samuel Al-Samarrie, Deceased**.
4. In caring for and treating **Samuel Al-Samarrie, Deceased**, **DNP** failed to comply with the applicable standards of care proximately causing the death of **Samuel Al-Samarrie, Deceased** on or about November 17, 2018.

5. At all times relevant hereto, the plaintiff, **Annette Padgett** was the Parent and Natural Guardian of **Samuel Al-Samarrie, Deceased**.

6. As a further direct and proximate result of said acts and omissions on the part of **DNP**, the plaintiff, **Annette Padgett**, lost the love and affection of her child, has suffered great emotional distress and mental trauma, and has incurred reasonable medical and related expenses and reasonable funeral and burial expenses.

WHEREFORE, the plaintiff, **ANNETTE PADGETT**, prays for damages against the defendant, **ANONYMOUS, DNP, APRN-BC**, as are reasonable in the premises, the costs of this action, pre-judgment interest, and for all other just and proper relief in the premises.

Respectfully submitted,

/s/ Holly S.C. Wojcik

Holly S.C. Wojcik, # 23197-64

Barry D. Rooth, # 6418-45

William A. Theodoros, #32173

Attorneys for the Plaintiff

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COUNT II

COMES NOW, the plaintiff, **ANNETTE PADGETT**, by counsel, and for her cause of action against the defendant, **ANONYMOUS, MSW ("MSW")**, alleges and says as follows:

1. At all times relevant hereto, **Samuel Al-Samarrie, Deceased** was a patient of **MSW**.

2. At all times relevant hereto, **MSW** was duly licensed to provide healthcare under the laws of the State of Indiana.

3. On or about October 4, 2018 and continuing through November 17, 2018, **MSW** undertook the care and treatment of **Samuel Al-Samarrie, Deceased**.

4. In caring for and treating **Samuel Al-Samarrie, Deceased**, **MSW** failed to comply with the applicable standards of care proximately causing the death of **Samuel Al-Samarrie, Deceased** on or about November 17, 2018.

5. At all times relevant hereto, the plaintiff, **Annette Padgett** was the Parent and Natural Guardian of **Samuel Al-Samarrie, Deceased**.

6. As a further direct and proximate result of said acts and omissions on the part of **MSW**, the plaintiff, **Annette Padgett**, lost the love and affection of her child, has suffered great emotional distress and mental trauma, and has incurred reasonable medical and related expenses and reasonable funeral and burial expenses.

WHEREFORE, the plaintiff, **ANNETTE PADGETT**, prays for damages against the defendant, **ANONYMOUS, MSW**, as are reasonable in the premises, the costs of this action, pre-judgment interest, and for all other just and proper relief in the premises.

Respectfully submitted,

/s/ Holly S.C. Wojcik

Holly S.C. Wojcik, # 23197-64

Barry D. Rooth, # 6418-45

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COUNT III

COMES NOW, the plaintiff, **ANNETTE PADGETT**, by counsel, and for her cause of action against the defendant, **ANONYMOUS INTERN ("Intern")**, alleges and says as follows:

1. At all times relevant hereto, **Samuel Al-Samarrie, Deceased** was a patient of **Intern**.

2. At all times relevant hereto, **Intern** was duly licensed or authorized to provide healthcare under the laws of the State of Indiana.

3. On or about October 4, 2018 and continuing through November 17, 2018, **Intern** undertook the care and treatment of **Samuel Al-Samarrie, Deceased**.

4. In caring for and treating **Samuel Al-Samarrie, Deceased**, **Intern** failed to comply with the applicable standards of care proximately causing the death of **Samuel Al-Samarrie, Deceased** on or about November 17, 2018.

5. At all times relevant hereto, the plaintiff, **Annette Padgett** was the Parent and Natural Guardian of **Samuel Al-Samarrie, Deceased**.

6. As a further direct and proximate result of said acts and omissions on the part of **Intern**, the plaintiff, **Annette Padgett**, lost the love and affection of her child, has suffered great emotional distress and mental trauma, and has incurred reasonable medical and related expenses and reasonable funeral and burial expenses.

WHEREFORE, the plaintiff, **ANNETTE PADGETT**, prays for damages against the defendant, **ANONYMOUS INTERN**, as are reasonable in the premises, the costs of this action, pre-judgment interest, and for all other just and proper relief in the premises.

Respectfully submitted,

/s/ Holly S.C. Wojcik

Holly S.C. Wojcik, # 23197-64

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COUNT IV

COMES NOW, the plaintiff, **ANNETTE PADGETT**, by counsel, and for her cause of action against the defendant, **ANONYMOUS SERVICES CORP. ("Corp.")**, alleges and says as follows:

1. At all times relevant hereto, **Samuel Al-Samarrie, Deceased** was a patient of **Corp.**

2. At all times relevant hereto, **Corp.** was a corporation duly organized under the laws of the State of Indiana.

3. At all times relevant hereto, **ANONYMOUS, DNP, APRN-BC, ANONYMOUS, MSW, ANONYMOUS INTERN** and the skilled agents, apparent agents, employees and personnel of **Corp.** were acting within the scope of their agency, apparent agency and employment relationship with **Corp.**

4. On or about October 4, 2018 and continuing through November 17, 2018, **Corp.** and its agents, apparent agents, employees and personnel cared for and treated **Samuel Al-Samarrie, Deceased**.

5. In caring for and treating **Samuel Al-Samarrie, Deceased, ANONYMOUS, DNP, APRN-BC, ANONYMOUS, MSW, ANONYMOUS INTERN**, and the agents, employees and personnel of **Corp.**, while acting within the scope of their agency and employment relationship with **Corp.**, failed to comply with the applicable standards of care proximately causing the death of **Samuel Al-Samarrie, Deceased** on or about November 17, 2018.

6. At all times relevant hereto, the plaintiffs, **Annette Padgett**, was the Parent and Natural Guardian of **Samuel Al-Samarrie, Deceased**.

7. As a further direct and proximate result of said acts and omissions on the part of **Corp.**, the plaintiff, **Annette Padgett**, lost the love and affection of her child, has suffered great emotional distress and mental trauma, and has incurred reasonable medical and related expenses and reasonable funeral and burial expenses.

WHEREFORE, the plaintiff, **ANNETTE PADGETT**, prays for damages against the defendant, **ANONYMOUS SERVICES CORP.**, as are reasonable in the premises, the costs of this action, pre-judgment interest, and for all other just and proper relief in the premises.

Respectfully submitted,

/s/ Holly S.C. Wojcik

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JURY DEMAND

COMES NOW the plaintiff, by counsel, and demands trial by jury.

Respectfully submitted,

/s/ Holly S.C. Wojcik

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